

ORDINANCE NO

AN ORDINANCE AMENDING TITLE 3 OF THE CITY CODE RELATING TO
THE RESTRAINT OF AND ENCLOSURES FOR DOGS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

PART 1 Section 3-1-1(10) (*Definitions*) of the City Code is amended to read

(10) RESTRAINT used with respect to a dog or cat means

(a) kept in a secure enclosure,

~~[(b) kept on the owner's or handler's property by means of a chain or
tether,] or~~

(b) [(e)] kept under the direct physical control of the animal's owner
or handler by a leash, cord, chain, or similar direct physical
control

PART 2 Section 3-2-13 (*Enclosure For Dogs*) of the City Code is amended to read

§ 3-2-13 ENCLOSURE FOR DOGS

(A) An outdoor enclosure used to keep six or more dogs, other than puppies less
than six ~~four~~ months old, must be located at least 50 feet from an adjacent
residence or business, excluding the residence or business of the owner or
handler of the dogs

(B) An outdoor enclosure used as the primary living area for a dog or used as an
area for a dog to regularly eat, sleep, drink, and eliminate must have at least
150 square feet of space for each dog six months of age or older

PART 3 Section 3-4-2 (*Restraint Requirements For Dogs On Private Property*) of the
City Code is amended to read

§ 3-4-2 RESTRAINT REQUIREMENTS FOR DOGS ON PRIVATE PROPERTY

(A) Except as provided in Subsection (B), a person may not restrain a dog with a
chain or tether unless the person is holding the chain or tether [A person may
not restrain a dog by a fixed point chain or tether for more than eight hours in
a 24-hour day unless the chain or tether is at least 10 feet long, has swivels at

each end, and is attached to a pulley or trolley mounted cable that is mounted no more than seven feet above ground level.]

(B) The prohibition of Subsection (A) does not apply to a temporary restraint

(1) during a lawful animal event, veterinary treatment, grooming, training, or law enforcement activity, or

(2) that is required to protect the safety or welfare of a person or the dog, if the dog's owner or handler remains with the dog throughout the period of restraint

(C) ~~(B)~~ A person restraining a dog with a chain or tether shall attach the chain or tether to a properly fitting collar or harness worn by the dog. A person may not wrap a chain or tether directly around a dog's neck. A person may not restrain a dog with a chain or tether that weighs more than 1/18 of the dog's body weight. A chain or tether used to restrain a dog must, by design and placement, be unlikely to become entangled

(D) ~~(C)~~ A person may not restrain a dog in a manner that does not allow the dog to have access to necessary shelter and water. ~~[A chain or tether used to restrain a dog must, by design and placement, be unlikely to become entangled.]~~

(E) ~~(D)~~ A person may not restrain a dog in a manner that allows the dog to move outside the person's property

(F) ~~(E)~~ A person may not keep six or more dogs, other than puppies less than six ~~four~~ months old, unless the dogs are kept in an enclosure that meets the requirements prescribed by Section 3-2-13 (*Enclosure for Dogs*)

1 **PART 4** This ordinance takes effect on _____, 2007

2 **PASSED AND APPROVED**

3
4 §
5 §
6 _____, 2007 § _____
7 Will Wynn
8 Mayor
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11 **APPROVED** _____
12 David Allan Smith
13 City Attorney
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11 **ATTEST** _____
12 Shirley A. Gentry
13 City Clerk
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